

**Minutes of Land Use, Parks and Environment (LUPE) Committee**  
**Tuesday, July 21, 2015**

Chair Jaske called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

**Committee Present:** Supervisors Pauline Jaske, Eric Highum, Jennifer Grant, Jim Batzko, Bill Mitchell and Tom Schellinger. **Absent:** Keith Hammitt.

**Also Present:** Legislative Policy Advisor Sarah Spaeth, Administrative Specialist Karen Phillips, Planning and Zoning Manager Jason Fruth and Park System Manager Duane Grimm.

**Approve Minutes of June 16, 2015**

MOTION: Mitchell moved, second by Batzko to approve the minutes of June 16, 2015. Motion carried 6-0.

**Executive Committee Report of July 21, 2015**

Jaske reviewed the items considered at the Executive Committee meeting:

- Ordinance pertaining to the Waukesha-Jefferson Counties Federated Library System partnership was approved
- Audit scopes for the Park's Division Cash Control and Purchasing Division were presented
- Five appointments were approved
- Update on the National Association of Counties (NACo) annual conference from Sarah Spaeth

**Legislative Update**

Spaeth reported on the 2015-2017 biennial budget which was signed by the governor.

Highlights relevant to Land Use, Parks and Environment include:

- Funding restored to the Wisconsin Fund Private Sewage System Grant Program
- Cuts to recycling grants - Waukesha County's funding will be cut \$155,000
- Cuts to the conservation staff grant
- Changes to counties' shoreland zoning jurisdiction

Spaeth will provide a complete report to the committee members via email.

**Future Meeting Date**

- August 18, 2015

**Ordinance 170-O-032: Authorize Continued Participation In Outdoor Recreation Trail Aid Funding For Waukesha County Snowmobile Trails**

Grimm was present to discuss this ordinance which authorizes Waukesha County to continue to participate in the Recreation Trail Aid grant funding for the purpose of maintaining, acquiring, insuring or developing lands for public snowmobile use. He distributed copies of the 2014-2015 Waukesha County Snowmobile Trail Map.

Grimm said that the State requires the County to coordinate, apply for and disperse the funds to the various snowmobile groups, in this case the Waukesha County Snowmobile Alliance. This ordinance would allow the Department of Parks and Land Use to be the pass through agent by which the

Snowmobile Alliance can get funding for maintenance of the trails. The funding comes from snowmobile taxes (fees, licensing, etc.), not property taxes. The Alliance takes responsibility for grooming trails, paperwork, etc.

MOTION: Batzko moved, second by Grant to approve Ordinance 170-O-032. Motion carried 6-0.

**Ordinance 170-O-033: Amend The Text Of The Waukesha County Shoreland And Floodland Protection Ordinance By Repealing And Recreating Table 6(b)1.B.ii. To Incorporate The Saylesville Dam Failure Analysis (SZ-1806A)**

Fruth discussed this ordinance which amends the text of the Waukesha County Shoreland and Floodland Protection Ordinance to incorporate by reference, a new dam failure floodplain study for the Saylesville Dam. Lands affected by the dam failure analysis are located within the Town of Genesee. There are a total of 35.2 acres proposed to be rezoned, but only 0.38 acres are not already designated in a lowland conservancy zoning category because most of the subject acreage is already mapped floodplain or wetland. Planning and zoning staff recommends approval of the proposed request.

MOTION: Mitchell moved, second by Grant to approve Ordinance 170-O-033. Motion carried 6-0.

**Ordinance 170-O-034: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Genesee By Rezoning Certain Lands Located In Part Of Sections 25 And 36, T6N, R18E, Town Of Genesee, Waukesha County, Wisconsin, From The A-E Exclusive Agricultural Conservancy, E-C Environmental Corridor And R-1 Residential Districts To The C-1 Conservancy District In Order To Incorporate The Saylesville Dam Failure Study Boundaries (SZ-1806)**

Fruth discussed this ordinance which proposes a rezone of lands that are subject to the Waukesha County Shoreland and Floodland Protection Ordinance in the Town of Genesee. Lands that are within the dam failure shadow of the Saylesville Dam are proposed to be rezoned to the C-1 Conservancy District.

Planning and zoning staff recommends that this request be approved. Because adoption of the dam failure study is required by the Wisconsin Department of Natural Resources under NR116 of the Wisconsin Administrative Code, adoption of the flood study by text reference and incorporation of the floodplain boundaries into the Waukesha County Shoreland and Floodland Protection Ordinance brings the Saylesville Dam into compliance with state standards and provides the public with the most current and accurate information. Rezoning the dam failure shadow as floodway on the county zoning map prevents development within said areas, which ultimately protects the subject landowners and upstream and downstream property owners and their improvements from flooding and danger.

MOTION: Schellinger moved, second by Highum to approve Ordinance 170-O-034. Motion carried 6-0.

**Ordinance 170-O-035: Amend The District Zoning Map Of The Town Of Delafield Zoning Code By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 10, T7N, R18E, Town Of Delafield, Waukesha County, Wisconsin, From The A-1 Agricultural District To The R-1A Residential District (ZT-1810)**

Fruth discussed this ordinance which rezones lands that are subject to the Town of Delafield Zoning Code and will provide the property owner the ability to subdivide this land in the future with minimum one-acre lot sizes. Fruth displayed a map of the revised area and provided background information as well as details of the proposed request.

Planning and zoning staff recommends approval of this request. The rezoning is consistent with the town and county plan recommendations. Specific layout issues and road access issues will be further considered by the town during the review of any subsequent subdivision plat submittal.

MOTION: Batzko moved, second by Mitchell to approve Ordinance 170-O-035. Motion carried 6-0.

**Ordinance 170-O-036: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 18, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The R-1 Suburban Single Family Residential District To The A-3 Agricultural/Residential Estate District (ZT-1740A)**

Fruth discussed this ordinance which rezones lands that are subject to the Town of Lisbon Zoning Code to allow for a transfer of adjacent lands between two recorded subdivision lots. The location, lot sizes, existing zoning, proposed zoning, and town plan commission and town board actions were reviewed. Planning and zoning staff recommends approval of the request in accordance with the Town's action. The proposal conforms to both the town and county comprehensive development plans and is compatible with the surrounding land uses. The density of the overall development or the natural drainage pattern of the area will not be affected.

MOTION: Schellinger moved, second by Grant to approve Ordinance 170-O-036. Motion carried 6-0.

**Ordinance 170-O-037: Amend The District Zoning Map Of The Town Of Delafield Zoning Code By Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 11, T7N, R18E, Town Of Delafield, Waukesha County, Wisconsin, From The A-1 Agricultural District To The A-2 Rural Home District (ZT-1811)**

Fruth discussed this ordinance that rezones a parcel which is subject to the Town of Delafield Zoning Code, bringing the property into a conforming zoning district relative to lot size.

The subject 3.7 acre parcel is located on the north side of North Shore Drive, directly west of the North Shore Middle School. The petitioner's request to rezone his property will bring his land into conformance with the A-2 Rural Home District requirements and allow him a higher open space percentage for construction of an accessory building. Planning and zoning staff recommends approval of the request in accordance with the town's action.

MOTION: Highum moved, second by Schellinger to approve Ordinance 170-O-037. Motion carried 6-0.

**Ordinance 170-O-038: Amend The Text Of The Town Of Waukesha Zoning Code To Repeal And Recreate Subsection 13-2-5(a) Entitled Building Must Be On A Lot, Subsection 13-2-9(i)(16) Entitled Multi-Family Unit And Section 13-3-1 Entitled Establishment Of Districts (ZT-1812)**

Fruth discussed this ordinance which amends the text of multiple sections of the Town of Waukesha Zoning Code relating to condominium and multi-family project regulations and standards. The

proposed changes remove obstacles to the development of condominium and other multi-family projects by clarifying that multiple principal structures are permissible via certain specified approval processes. In addition, the provisions update the town's multi-family conditional use requirements and provide clarity relative to the calculation of site requirements for parcels partially within shoreland jurisdictional areas. Planning and zoning staff recommends approval of the proposed text amendments to the Town of Waukesha Zoning Code in accordance with the town's action.

MOTION: Mitchell moved, second by Batzko to approve Ordinance 170-O-038. Motion carried 6-0.

MOTION: Mitchell moved, second by Highum to adjourn the meeting at 9:17 a.m. Motion carried 6-0.

Respectfully submitted,

Jim Batzko  
Secretary